

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CLARENCE DUKES,
Plaintiff,

v.

RICHARD WILSON,
Defendant.

)
)
)
)
)
)
)

Civil Action No. 7:11-cv-00530

ORDER

By: Norman K. Moon
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that defendant's motion to dismiss is **GRANTED in part and DENIED in part**. Further, pursuant to Standing Order No. 2011-18, defendant Wilson is **DIRECTED** to file a motion for summary judgment by no later than September 18, 2012.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the parties.

ENTER: This 28th day of August, 2012.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE